

RECORD OF INTERVIEW

Applicant acknowledges with appreciation the courtesy of a telephone interview on May 7, 2003 granted by Examiner Wright, to Wm. Brook Lafferty, attorney for Applicant. The following discussion is intended to constitute a complete and proper recordation of such interview in accordance with M.P.E.P § 713.04.

No agreement as to the pending claims was reached during the interview. Dependant Claims 16 and 17 were discussed in general in regard to the § 112 and 103 rejections. No specific claim amendments were discussed.

In regard to the § 112 rejection, the general thrust of the argument asserted by Mr. Lafferty was that the text of the specification associated with the Figures, in particular Figs. 12A-B and 13A-B, would allow one skilled in the art to recognize what is being claimed as the present invention. Also, Mr. Lafferty asserted that literal support for the limitations of the claims is not required in the specification.

In regard to the obviousness rejection, Mr. Lafferty asserted that one of the problems dealt with in the present invention is to get floatation materials of unitary construction to flex. Claim 16 requires at least one of the flexion channels on the inside of a unitary floatation element to not correspond with the portions of the buoyant material in the spacing between the raised portions extending outwardly from the opposite side of the same unitary floatation element. The cited combination does not disclose or suggest this feature. The *Morner* reference does not teach or suggest unitary construction. To the extent that *Morner* could be relied upon to maintain the rejection, *Morner* expressly discloses that the cells are to be non-communicating and that they should be close fitting

and evenly spaced. Mr. Lafferty asserted that there is no suggestion in *Morner* that the cells could be spaced differently relative to one another.

The Examiner agreed to reconsider the claims in view of the arguments asserted by Mr. Lafferty. If for any reason the foregoing record is not considered complete and accurate, the Examiner is respectfully requested to contact the undersigned attorney for the Applicant.

REMARKS

This Amendment, submitted in response to the Final Office Action mailed on January 13, 2003, and the Advisory Action mailed May 23, 2003, is believed to be fully responsive to each point of rejection raised therein. Applicant wishes to thank the Examiner for the careful consideration given the application. Reconsideration is respectfully requested in view of the following remarks and amendments.

Claims 16 and 17 are canceled, without prejudice.

Independent Claim 15 was previously allowed.

Independent Claims 1, 5, 7, 13 and 14 are amended to include the limitations of canceled Claim 16.

Independent Claim 7 is amended to include the limitations of canceled Claim 16.

New independent Claim 18 includes the limitations of previous Claim 7 in combination with canceled Claim 16.

As to the obviousness rejections of Claims 1-2, 4-14 and 16, the Examiner has not shown that all the elements of a prima facie case of obviousness have been met. Applicant respectfully traverses the rejection and requests reconsideration. Applicant has reviewed the

cited art and has found that nothing therein which would teach or suggest the present invention. The cited art neither structurally, nor more generally, suggests the claimed subject matter of independent Claims 1, 5, 7, 13 and 14. Please refer to independent Claims 1, 5, 7, 13 and 14 while keeping in mind that all the words of the claims must be included when determining patentability.

Applicant asserts that *Morner* does not disclose a floatation element of unitary construction as claimed in the present invention. *Morner* merely discloses inner and outer layers of fabric for surrounding a plurality of separate flotation members which can be removed from between the layers of fabric. Moreover, *Morner* discloses that the individual cells should be close fitting and evenly spaced. *Morner* also characterizes the cells as being "interfitting". Therefore, Applicant asserts that *Morner* teaches away from the present invention of utilizing flexion channels to make unitarily constructed flotation elements more flexible. Reconsideration of the obviousness rejection is respectfully requested because the cited combination does not result in the claimed invention because *Morner* neither discloses unitarily constructed floatation elements because of the use of a plurality of separate cells nor the use of flexion channels because of the desire for the cells to be interfitting.

However, to the extent the Examiner maintains that *Morner*, or any other reference, discloses unitary construction with channels on opposite sides defined between the close fitting cells, Applicant asserts that the cited combination does not result in the claimed invention because the channels on the opposite side of the flotation element in *Morner* correspond with one another. There is no suggestion in *Morner*, or any other reference, that if there are channels on the inner surface, that the channels on the inner surface should be

misaligned with the channels on the outer surface of the flotation element. Therefore, Applicant again requests reconsideration because the cited combination does not result in the claimed invention having flexion channels on the inner surface be misaligned with the spacing defined between the raised portions on the exterior of the flotation element.

As stated above, each of the amended base claims require that at least one flexion channel on one side of the buoyant material not correspond with the spacing defined between the plurality of raised portions. The mere fact that that in the cited art that a flexion channel allegedly on the inner surface of a unitary flotation element *may* be misaligned with the spacing between the raised portions on the opposite side of the unitary floatation element present is not sufficient for an obvious rejection. For a proper rejection, the misalignment of the flexion channel with the spacing between the raised portions *must necessarily result* from the cited prior art combination of references. Reconsideration of the rejections of base Claims 1, 5, 7, 13 and 14 for obviousness is respectfully requested.

Applicant does not dispute that it is known in the art to position flexion channels so that the optimum flexibility from the flotation element is obtained. However, this simply is not what is being claimed in the present invention. The present invention relates to how flexion channels on the inner surface of a floatation element cooperate with the spacing between the raised portions. Simply, as explained above, the cited art does not teach or suggest that flexion channels on the inner surface should be arranged relative to any feature on the front surface other than that they should be placed to maximize flexibility.

Moreover, Applicant asserts that if a cited reference is silent as to a particular element, such as flexion channels being misaligned relative the spacing between the raised

portions, then the cited reference does not teach the claimed manner of misaligning flexion channels. Such statements as in *Grunstein* merely provide general guidance as to the use of flexion channels on a particular side of a flotation element and are not at all specific as to the manner in which flexion channels on one are misaligned with the spacing defined between the raised portions of the buoyancy material. Therefore, the cited reference does not teach or suggest that the flexion channels on the inner surface be misaligned with the spacing defined between the raised portions extending outward from the opposite side of the flotation element. Applicant respectfully requests that the Examiner withdraw the rejection.

The remaining dependant claims are believed to at least be allowable based upon the dependency from an allowable base claim.

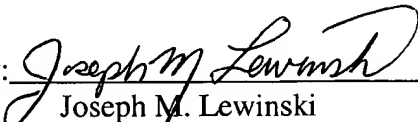
Applicant submits herewith a Petition for a two (2) Month Extension of Time for this response, and a Request for Continued Examination. Two checks in the aggregate amount of \$622 are enclosed in payment of the fees for the Extension of Time, Request for Continued Examination, and the addition of an extra independent claim. No additional fees are believed due. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment, to Deposit Account No. 20-1507.

Based on the forgoing, it is submitted that the Claims comply with the Examiner's requirements and are now in condition for allowance. Should any minor points remain

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prior to issuance of a Notice of Allowance, the Examiner is requested to telephone
Mr. Lafferty at 404-885-3470.

Respectfully submitted,

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